

Prepared by and return to: Steven E. Black, Forman Rossabi Black, P.A., P.O. Box 41027, Greensboro, NC 27404

NORTH CAROLINA

MEMORANDUM OF THE SOUTHSIDE  
NEIGHBORHOOD COMMUNITY  
ASSOCIATION, INC. REGARDING  
SERVICE AREA

GUILFORD COUNTY

PURSUANT to the Declaration of Covenants, Conditions and Restrictions for Southside, recorded in **Book 5200, Page 1031** of the Guilford County Register of Deeds, (hereinafter, the "Declaration") the following title owners submit this Memorandum and Petition to the Board of Directors of the Southside Neighborhood Community Association, Inc. (hereinafter, the "Association") for consideration to establish a Service Area for additional benefits to the properties within the Service Area.

WHEREAS, the owners of the following property submit this Memorandum and Petition for the Board of Director's review and approval:

- 1.
- 2.
- 3.
- 4.
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- 6.
- 7.
- 8.

WHEREAS, the undersigned owners request that the Association create a Service Area to include their property and within that Service Area for the Association to be responsible for:

Exterior maintenance of the dwelling located on each Lot within the Service Area as follows: Paint, repair, replace and care of roofs (limited to shingles, underlayment, and plywood), gutters, downspouts, and exterior building surfaces, including, the exterior porches and landings that are part of the exterior of the dwelling, but not including exterior decks.

Specifically, the Association shall not be responsible for the decorative brickwork located on the roofs of certain townhomes within the Service Area (also known as faux fire walls, which do not serve any meaningful fire protection purpose.)

Moreover, the Association shall be responsible for the following additional items to the extent specifically stated below:

1. Exterior doors – The Association shall only be responsible to paint and repair the exterior surface area of exterior doors. Specifically, but without limitation, the Association shall not be responsible for door hardware, door frames, door jams, or painting or repair of interior portions of the door.
2. Garage Doors – The Association’s maintenance responsibility for garage doors shall be limited to power washing of the exterior of the garage doors.
3. Exterior metal railings - The Association shall paint the exterior metal railings. Specifically, but without limitation, the Association shall not be responsible for repair or replacement of the exterior metal railings or the cement at the base or top of the railings.
4. Termite Control – The Association shall be responsible for causing the buildings within the Service Area to be treated for termites.

Notwithstanding, the Association shall not be responsible for glass, window or door screens, window frames, storm doors, or any additional exterior improvements added by owners, unless the Association has agreed in writing to accept responsibility for such maintenance in a document recorded with the Register of Deeds.

The Association shall have an easement upon and over the property within the Service Area at all reasonable times to conduct all maintenance, repair, or replacement set forth herein.

Further, said maintenance, repair, or replacement, as the case may be, is to address regular and routine needs arising from normal wear and tear. The Association shall not be responsible for damage caused by the owners, their guests, invitees, or other known or unknown parties. Such maintenance, repair, or replacement required shall be the responsibility of the Owner. If the Owner shall fail to take such required action after twenty (20) days notice by the Association, the Association shall have the right and easement to conduct such work. The costs shall be assessed against the Unit as provided in 8.4 and 8.5 of the Declaration.

## Southside Architectural Guidelines

### About This Document

This code is delved from the building traditions exemplified in the North Carolina neighborhoods of Vermillion, Fisher Park, and Old Salem. To those ends the provisions of these documents create coherent neighborhoods; a pedestrian friendly atmosphere or memorable streets and public places; distinctive house types allowing personalized private gardens and interior spaces; to secure the marketability and value of each home throughout the course of development.

### General Instructions

This code consists of four documents: the Regulating Plan, the Urban Regulations (this document), the Architectural Regulations, and the Landscaping Regulations. All Building and Landscape Designs shall be submitted to the founder (developer) and reviewed by the town architect retained by the founder and according to the Declaration of Covenants, Conditions, and Restrictions for Southside dated \_\_\_\_\_ for conformity to the code.

Exceptions or waivers may be granted to the urban, architectural, and landscaping standards on the basis of architectural merit, site conditions, or unusual circumstances, provided such variances are consistent with the design objectives and intent of the code, the City of Greensboro Development Ordinance, and the N.C. Building, Fire, and Safety Codes.

### Definitions

All undefined words within the text of this document are defined as follows:

Corner side: a facade abutting a thoroughfare, on a building having footage on two thoroughfares that is not the main entrance to the building;

Frontage: portion of building abutting a public right-of-way;

Building facade: front entrance and/or wall of a building;

Vista termination: view at the end of an axis centered man made or natural object;

Lot coverage: portion of a lot permitted to be covered by impervious surfaces;

Accessory building: a secondary building associated with a principal building by ownership and shared lot accommodating an ancillary use. An outbuilding is permitted and is usually located adjacent to the rear lot line.

All yard: a building typology which accommodates open yard along an entire building perimeter.

Rear yard: a building typology which accommodates open yard to the rear of the building only;

Side yard: a building typology which accommodates open yard to one side of a building only;

Avenue: a thoroughfare that is terminated at both ends by civic buildings or sites;

Street: a thoroughfare with curb and sidewalk which accommodates on street parking;

Park: an open space bordered by buildings and/or rights-of-way on all sides. Parks may be used for active and/or passive recreation;

Square: an open space bordered by buildings and/or rights-of-way on all sides. Squares serve as gathering spaces. The perimeter of squares are planted with trees parallel to the right-of-way.

Playground: an open space within a neighborhood for the active recreation of children. Playgrounds are fenced and should be within a 5 minute walk of all residences;

Parkways: linear open spaces connecting central areas of a town or neighborhood with natural areas outside th town or neighborhood. Parkways are always fronted by thoroughfares or rights-of-way.

Parkways may include within them areas for active or passive recreation;

Esplanades: a formal pedestrian walk along a natural feature;

Height: the measure of the number of habitable floors within a structure from grade to the eave height of the building;

Double frontage: buildings showing a front facade and rear facade to a thoroughfare.

### Permitted Uses

Neighborhood Center, Neighborhood General and Neighborhood Edge Garage, storage, conservatory, rental cottage, and home occupation uses are permitted within accessory buildings.

### Prohibited Uses

Restricted uses include all uses not permitted by the Development Ordinance and the following:

Neighborhood Center

Drive through window use by any service or commercial business;

Businesses which require outdoor storage or display of hazardous materials, cars, equipment, and merchandise (other than produce or flea market sales on a seasonal or temporary basis);

Off premise advertising signs and billboards;

Newspaper and vending machines;

### Neighborhood General and Neighborhood Edge

Billboards and off-premise advertising signs;

Commercial other than home occupational uses. (Bed and breakfast or Inn uses shall be approved by the Founders.)

### Urban Conditions

The Regulating Plan is keyed to the 3 urban conditions of Neighborhood Central, Neighborhood General, Neighborhood Edge. These 3 conditions describe the range of building topologies which are coded by the plan ranging from more urban to more rural.

### Urban Provisions

Principal building and yard stoops, balconies, porches, and bay windows may encroach within front and cornerside setbacks.

Double fronted buildings shall have the required front setback along both frontages.

Buildings shall show no more than 2, 4, or 6 projecting corners to frontage.

Buildings at vista terminations shall as shown on the Regulating Map, shall align frontage facade elements with the side.

Front loaded garage doors shall be recessed from the primary building facade per the Development Ordinance.

Attached buildings on corner lots may move fronts and backs forward or backward a maximum of 6 feet.

Fences, garden walks, and hedges may be built on property lines or as a continuation of building walls.

### Principal Building Height

Height shall be measured at the frontage facade from grade elevation to eaveline.

Basements raised more than 3 feet shall not count against the maximum building height.

Habitable attics with eaves no higher than 3 feet from the floor shall not count against the maximum building height.

Residential ground floors shall have a minimum height of 9 feet. Commercial ground floors shall have a minimum height of 12 feet.

There shall be no height limits on structures with a footprint of less than 250 square feet.

### Accessory Buildings

Accessory buildings shall have a maximum footprint of 650 square feet.

Maximum building height shall be 36 feet, measured to eave.

Rental housing and limited home occupational use are permitted within accessory buildings.

### Parking

Parking shall be 1.5 spaces for each dwelling with two or more bedrooms; and one for every 500 square feet of commercial space.

Required parking shall be provided per the Zoning Ordinance.

Boats, campers, and trailers shall be parked in rear yards only.

### MORE URBAN

Neighborhood Center.

This is a social mixed use hub within walking distance of surrounding neighborhoods.

Housing is in more dense rear yard and side yard buildings, often combining upper floor residential with ground floor commercial.

Commercial uses are in rear yard storefront buildings.

Typical streets and avenues have parallel parking on both sides. All buildings are served by alleys.

Open space is organized into parks and squares.

### Building Types

Civic

Indoor and Outdoor

Recreational

Commercial

Livework

Rowhouse

Courtyard Apartment

Sideyard

The lot width shall be within 14 feet and 72 feet.

Buildings shall be placed on their lots with the front setback between 0 and 6 feet, and no side setbacks.

Rear setbacks shall be a minimum of 3 feet. Building wings of one story, and providing a minimum of 14 feet wide average open space are permitted to extend into the rear setback.

Accessory buildings shall be set back 3 feet from rear lotline. Accessory buildings may be attached to the xxx building only under the live-work building type.

The placement of the building facade at the front and back shall be mandatory unless otherwise shown on the Regulating Plan.

Building frontage along right of way shall be 80% minimum. This includes walls and gables which shall be built along the frontage line.

Porches, stoops and arcades may encroach within the front setback and/or right-of-way.

Porch, stoop, and arcade depth shall be a minimum of 8 feet. Balconies shall be a maximum of 4 feet in depth.

Arcades shall extend along 80% of a facade. Porches shall extend along a minimum of 20% of a facade. Maximum height shall be 3-1/2 floors.

The first floor shall be elevated above the sidewalk a minimum of 24 inches except that commercial use floors shall be at sidewalk grade. (Ground and second floor usage may be commercial or

residential. Third and fourth floor usage shall be residential.)

## WALLS

### Materials

Walls shall be finished in wood clapboard (sealed with paint or stain), board and batten, cedar shingles, "hardie plank," stucco, or brick.

Walls may be finished in brick selected from the Founders' List. Foundation walls and piers shall be perged block, smooth-finished poured concrete, stone, or brick.

Crawl spaces may be skirted with horizontal woodboards, or framed with not more than 1-1/2" spaces between boards, or wood louvers. Lattice shall be installed between supports. Galvanized hardware cloth may be placed behind the lattice. Garden walls shall be stone or brick. Gates in garden walls shall be wood or iron. Garden walls shall not be perforated with precast elements, but may accommodate pierced brick.

Fences at frontages and in front yards shall be made of smooth cedar, or p.t. wood pickets. All other fences shall be made of wood boards with a rectangular section. Wood fences may have stucco, brick, or stone piers.

Retaining walls shall be built of stucco, stone, or brick.

### Configurations & Techniques

Walls may be built of no more than two materials and shall only change material along a horizontal line, i.e. cedar shingles may be combined with wood siding when material change occurs horizontally (typically at a floor line or gable end), with the heavier material below the lighter. All the walls of a single building must be built of the same materials in the same configuration. Wood clapboard and shingles shall be horizontal.

Siding shall be horizontal maximum 6" to the weather. Boards with more than 8" to the weather shall show a one inch variation from one board to the next.

Shingles shall be maximum 8" to the weather. Decorative shingles shall not be permitted. Shingles shall be hand-split or machine cut and have bottom edges aligned.

Stucco shall be smooth sand finished or troweled.

Trim shall be minimum grade 'B' trim lumber, and shall be 3.5" to 6" in width at corners and around openings except at the front door which may be any size (3.5" minimum) or configuration.

Garden walls shall be minimum 8 inches thick and have a horizontal cap. Brick mortar joints shall be struck and no more than 1/2" wide.

Fences on adjacent lots shall have different designs. Locations of fences in front yards shall be as indicated in the Urban Regulations. Fences shall be the wall or trim color of the house, or white. Walls shall be one color.

### Colors

Colors of all materials shall be selected from a Master List. Masonry, Smooth Siding and Trim shall be a light color, which may or may not be the same as the wall color.

Paints and Stains: All exterior wood shall be painted, except wood shingles, which may be allowed to age naturally.

## ELEMENTS

Chimneys shall be finished with stucco, stone, or brick. Flues for potbelly stoves shall be metal.

Piers and arches shall be made of stucco, stone, or brick.

Porches, Columns, Posts, Spindles, and Balusters shall be made of wood. Porches may be enclosed with glass or screens for a maximum of 30% of their length; however, glass enclosures are not

permitted at frontages. Porch ceilings may be enclosed with painted wood; exposed joints shall be painted.

Arcades at the Town Center shall be metal or stucco with metal posts, railings, and balconies.

Stoops shall be made of wood, brick, or concrete. If concrete, a stoop shall have brick or stucco-cheek walls.

Decks shall be located in rear yards only, elevated a maximum of 30" above grade, and be painted or stained (except for walking surfaces which shall be unpainted).

Signs shall be made of wood, or enameled steel at the Town Center.

Awnings shall have a metal structure covered with canvas or a synthetic canvas. Metal elements shall be unpainted galvanized steel, anodized or ESP aluminum, or marine-grade aluminum.

Patios and stoops may have horizontal surfaces made of brick or stone.

Garage Aprons shall have brick, stone, concrete pavers, or tar and chip.

The following shall be selected from a Master List: Brick, mortar colors, awning colors and patterns, fence designs and exterior light fixtures.

The following shall be permitted only in rear yards, provided they are not visible from the street:

HVAC equipment, utility meters, clotheslines, 18" satellite dishes, permanent grills, permanent play equipment, and hot tubs (those at ground level must be covered).

The following shall not be permitted: panelized materials, keystones, quoins, window air conditioning units, above-ground pools (except those of the inflatable variety), antennae, concrete parking pads and patios, solar panels, signs (on private property), direct vent fireplaces.

## CONFIGURATIONS AND TECHNIQUES

Chimneys shall be a minimum 2:1 proportion in plan and capped to conceal spark arresters. Firebox enclosures and chimneys shall extend to the ground.

Porch piers of masonry construction shall be no less than 12" X 12."

Arches of masonry construction shall be no less than 12" in depth.

Arcades and Breezeways shall have vertically proportioned openings.

Screen porches shall have screens framed in wood installed behind framed railings.

Columns (The Orders), if provided, shall be of the the Tuscan or Doric orders with correct proportions and profiles according to *The American Vignola*.

Posts shall be no less than 5-1/2" X 5-1/2", except at outbuildings. Railings shall have horizontal top and bottom rails. Wood top rails shall be eased and bottom rails shall have a vertical section. Top and bottom rails shall be centered on the pickets. The openings between Spindles and Balusters shall not exceed 4".

Wood Picket spacing shall not exceed more than 1-1/2" or 2" between pickets. Minimum depth of picket is 3/4".

Balconies which cantilever shall be visibly supported by brackets.

Signs which attach to buildings shall be integrated with the storefronts, no larger than 18 inches in height, and externally lit.

Awnings shall be rectangular in shape with straight edges. Awnings may have side panels but shall not have a bottom soffit panel. Awnings shall not be backlit.

Spotlights attached to building walls or roof eaves are only permitted in rear yards.

Wood elements must be painted or stained with an opaque or semi solid stain, except for walking surfaces which may be left natural.

## ROOFS

### Materials

Roofs shall be clad in slate, wood shingles (corrugated 5v crimp or standing seam), galvanized steel, galvalume, or copper. Asphaltic or fiberglass shingles shall be architectural grade and shall be submitted for approval.

Gutters and Downspouts, when used, shall be made of galvanized steel, copper (not copper coated), anodized or ESP aluminum.

Flashing shall be copper, lead, or anodized aluminum.

Copper roofs, flashing, gutters and downspouts shall be allowed to age naturally (not painted or sealed).

Roof colors shall be charcoal gray, brown, red or green.

### Configurations & Techniques

Principal roofs shall be a symmetrical gable or hip with a slope of 4:12 to 10:12.

Ancillary roofs (attached to walls at the highest portion of the principal building) may be sheds sloped no less than 2:12. Roofs on Towers shall be flat or have a slope of 4:12 to 8:12.

Flat roofs, including flat roofs on towers, shall be permitted only when occupiable and accessible from an interior room. Flat roofs shall have a railing or parapet wall no less than 42 inches high.

Parapets shall be horizontal.

Eaves shall be continuous. Eaves which overhang less than 8 inches shall have a closed soffit. Eaves which overhang at least 16 inches shall have exposed rafters. Eaves which overhang between 8 inches and 16 inches shall have either a closed soffit or exposed rafters. Rafter tails may not exceed 8 inches in depth.

Gutters shall be square or half-round. Downspouts shall be round. Dormers shall be habitable, placed a minimum of 3 feet from side building walls, and have gable or shed roofs with a slope to match the principal structure or shed roofs with a minimum slope of 3:12.

Roof penetrations shall be placed on the rear slope of the roof so as not to be visible from the street, and shall be painted to match the color of the roof, except those of metal, which may be left unpainted. Skylights shall be flat and mounted only on the rear slope of the roof.

## OPENINGS

### Materials

Windows shall be made of wood (painted) and glazed with clear glass. All trim shall be no less than 3-1/2 inches. Bay windows shall be made of trim lumber and have a metal roof. Corner trim shall be no less than 5-1/2 inches.

Doors, including garage doors, shall be wood. Doors shall be painted. Storefronts shall be made of wood or metal (at the Town Center).

Shutters shall be wood, painted, and operable.

Security Doors and Window Grills must be approved.

### Configurations & Techniques

Windows shall be rectangular, single, double, or triple hung. Awnings fixed (under 2 sf), or operable casement types with panes of vertical proportions. Transoms may be oriented horizontally with panes of vertical proportions. Multiple windows in the same rough opening shall be separated by a 4 inch minimum post. In masonry walls, the centerline of the window sash shall align with the centerline of the wall.



Window Muntins shall be true divided light, or lined on the interior and exterior surfaces and create panels of square or vertically proportion.

Bay windows shall have a minimum of 3 sides and shall extend to the floor inside and to the ground outside if located on the ground floor, or, if not, be structurally supported by brackets.

Storm windows and Screens shall be integrated with the window. Screens shall be made of brass, bronze, or black vinyl.

Front doors, including the entry door to a porch on a side yard house shall be located on the frontage line. (Paired doors are not permitted at frontages. Windows in doors must be rectangular. )

Doors shall be hinged. Doors, except garage doors, shall be constructed of planks or raised panels (not flush with applied trim) which express the construction technique.

Garage doors facing a street frontage shall be a minimum of 9 feet in width. Garage doors facing an alley shall have a cantilevered light fixture centered above the door with an incandescent bulb activated by a photocell. Garage doors shall be painted or stained.

Storefronts shall be painted a dark gloss color.

Shutters shall be operable, sized and shaped to match the openings. Crawl spaces shall have openings with vertical metal bars. Wire mesh behind the bars is permitted.

Stucco Trim articulations shall be subject to approval by the Town Architect.

An accent color, for items such as the front door and shutters may be used subject to the approval of the Town Architect.

WHEREAS, the Board of Directors has authority pursuant to the Declaration to identify a group of property within the Association as a Service Area for the purposes of providing additional services.

WHEREAS, the Board of Directors has reviewed this Petition and has conducted further investigation into the request to establish a Service Area.

WHEREAS, the Board of Directors shall establish a proposed rate for a Service Area Assessment to be assessed against each lot within the Service Area to fund the additional maintenance, repair, or replacement.

NOW THEREFORE, if the Board of Directors and 75% of the properties within the proposed Service Area agree the Service Area and Service Area Assessments shall be established and this document shall serve as the required memorandum and shall be recorded with the Guilford County Register of Deeds.

Submitted to the Board of Directors this the \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Date	Printed Name	Signature	Street Address
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Date	Printed Name	Signature	Street Address
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